



March 21, 2007

H.R. 740 - Preventing Harassment through Outbound Number Enforcement (PHONE) Act of 2007

Floor Situation

H.R. 740 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Robert Scott (D-VA) on January 31, 2007. The bill was reported by the House Committee on the Judiciary by voice vote on February 7, 2007.

H.R. 740 is expected to be considered on the floor on March 21, 2007.

**Note: In the 109th Congress, Rep. Tim Murphy (R-PA) introduced similar legislation, H.R. 5304, which passed the House of Representatives by voice vote on December 9, 2006. The Senate received the bill but no action was taken.*

Summary

H.R. 740 makes it a federal crime to provide false caller identification information with the intent to defraud or provide the caller identification information of an individual without that individual's consent in an attempt to deceive the recipient of a call about the identity of the caller.

H.R. 740 establishes penalties for committing this crime of up to five years in prison, fines (unspecified), or a combination of both. Additionally, this legislation authorizes the seizure of any property obtained from the proceeds of committing the crime as well as any equipment that was used to commit the crime.

Background

Caller identification services are offered by most telecommunications and voice over internet protocol (VOIP) providers and supply consumers with the name and phone number of incoming calls.

Falsely manipulating the information that appears on caller ID is referred to as "spoofing." In recent years a number of websites have started offering a "caller ID spoofing service" where a customer can purchase a phone card that allows them to change the phone number that appears on caller ID when they place calls on traditional telephone networks. VOIP users can "spoof" call recipients with standard VOIP software

which allows users to change the information that appears on the call recipient's caller ID.

In some instances, "spoofing" has been used to facilitate crimes, such as identity theft, fraud, and harassment. Identity thieves have used "spoofing" to mislead call recipients into revealing personal financial information, to fraudulently authorize stolen credit cards, and to arrange fraudulent money transfers.

Cost

The Congressional Budget Office (CBO) estimates that implementing H.R. 740 would not significantly impose any costs to the federal government or impact federal spending or revenues.

Staff Contact

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